

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
:
-v- : 20-cr-157-4 (LJL)
:
CRISTIAN MARINO-CASTRO, :
:
Defendant. :
:
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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LEWIS J. LIMAN, United States District Judge:

Defendant Cristian Marino-Castro moves pro se for an order directing his counsel to surrender “papers, property and discovery related to this criminal case” to him. Dkt. No. 103 at 1. The motion is predicated on the assumption that his appointed counsel has terminated his representation. *Id.* The motion is denied.

The docket in this case reflects that Mr. Marino-Castro is represented by James Michael Roth, Esq. The Court also is informed that Mr. Roth remains counsel of record for Mr. Marino-Castro’s appeal to the Second Circuit. Dkt. No. 105. Although Mr. Roth has filed a motion to withdraw as appellate counsel and to have CJA counsel appointed, that motion has not yet been ruled upon. *Id.* Accordingly, the motion is based on a faulty predicate. The Court assumes, and has no information otherwise, that Mr. Roth will continue to perform his professional duties towards Mr. Castro.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 103.

SO ORDERED.

Dated: September 6, 2023
New York, New York


LEWIS J. LIMAN
United States District Judge